

# **INFORMATION SHEET**

## **DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** Saint Paul District

**FILE NUMBER:** MVP-2007-1725-TMV

**PROJECT MANAGER:** Todd Vesperman

**PROJECT REVIEW/DETERMINATION COMPLETED:** In the office? Y ☒ N ☐ Date: 05/16/2007  
At the project site? Y ☐ N ☐ Date:

**PROJECT LOCATION INFORMATION:**

State: Minnesota

County: Chippewa

Center coordinates of site by latitude & longitude: 44.9656116097/-95.7089195607

Approximate size of site/property (including uplands) in acres: 160

Name of waterway or watershed: Chippewa Watershed

Type of Aquatic Resource <sup>1</sup> :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands	1=.20ac 1=.02ac								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup>	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			<b>X</b>		
Is or would be used as habitat by other migratory birds that cross state lines?			<b>X</b>		
Is or would be used as habitat for endangered species?				<b>X</b>	
Is used to irrigate crops sold in interstate commerce?		<b>X</b>			

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:** Preliminary ☐ Or Approved: ☒

**FILE NUMBER: MVP- 2007-1725-TMV**

**ADDITIONAL INFORMATION SUPPORTING njd** (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): **The project consists of constructing a taxiway immediately southwest of the existing runway at the Montevideo Airport. The construction area consists of manicured clear zones and agricultural fields which includes a 0.02-acre wetland and a 0.20-acre wetland complex. The wetlands have developed in small linear depressions created as a result of the construction on the existing airport runway. The wetlands are surrounded by uplands, have no definable inlets or outlets, and do not have a continuous surface connection with other waters of the United States. The subject wetlands occur entirely within Chippewa County, Minnesota; have not been used for recreation; and have no reasonable connection to interstate commerce.**

**The following information was used in making the no jurisdiction determination; USGS topographic map, FSA 2003 aerial photograph, the National Wetland Inventory, the 1982 Chippewa County Soil Survey, and information provided in the Wetland Delineation Report dated March 2007.**